

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

November 6, 2012

POST SUMMARY MINUTES

PRESENT: Chairman Eldrin Bell, Vice-Chairman Wole Ralph, Commissioner Sonna Singleton, Commissioner Michael Edmondson, Commissioner Gail Hambrick, and Clerk Shelby D. Haywood.

1. Chairman Bell called the meeting to order.
2. Invocation was led by Pastor Innis Claude of Eagles Wing Christian Ministries in Riverdale, Georgia. Pledge of allegiance to the flag was led by Chairman Bell.
3. Adopted the agenda by deleting items No. 6 (Presentation of a \$50,000.00 Ceremonial Check for Jesters Creek Trail from Clayton County Greenways Council), No. 12 (Resolution 2012-219 – Authorizing Clayton County to appoint a County Legislative Coordinator; to provide an effective date of this resolution; and for other purposes.), and No. 21 (Resolution 2012-228 – Authorizing Clayton County to enter into an agreement with Comcate, Inc., providing for the terms and conditions under which code enforcement, animal control, and GIS Lite Software will be utilized by the Clayton County Police Department; to authorize the Chairman to execute the agreement and otherwise to perform all acts necessary to accomplish the intent of this resolution; to authorize the Finance Director to amend the budget where necessary to reflect an appropriate revenue source and expense; to provide an effective date of this resolution; and for other purposes.); holding Nos. 24-26 (Appointments to the Clayton County Family and Children Services Board, the Hospital Authority Board, and the Zoning Advisory Board) until the next Regular Business Meeting; and adding Resolution 2012-230 – Authorizing Clayton County to enter into a settlement agreement settling all claims set forth in the lawsuit of CN Crag Charles, Inc. v. Clayton County, Georgia. Clerk Haywood also noted that one item each will be held during the requests of Theodis Locke, Director of Central Services/Risk Management, and Renee Bright, Director of Human Resources. Lastly, the Board added an Executive Session to discuss litigation and personnel matters. Vote unanimous.

Chairman Bell requested a point of personal privilege, on behalf of Police Chief Greg Porter, to observe a Moment of Silence in honor of two Atlanta Police Officers killed in the line of duty on Saturday, November 3, 2012.

4. Approved the minutes of the October 16, 2012 Regular Business Meeting. Vote unanimous.
5. PROCLAMATION: “Clayton County Recognizes Clayton County Greenways Council for Award of a \$50,000.00 Check for the Jesters Creek Trail” (presented by Chairman Eldrin Bell). [NOTE: A group photo was taken of the Clayton County Greenways Council representatives, including Dr. Eugene Hatfield, Ms. Judy Taylor, and Senator Gail Buckner.]

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6. PRESENTATION: Award of a \$4,140.00 Check to the Clayton County Council of PTA's (presented by Commissioner Sonna Singleton). [NOTE: A photo was taken of Mary Dewberry, President of the Clayton County Council of PTA's, receiving this check award.]

7. Theodis Locke, Director of Central Services/Risk Management, presented five (5) items for consideration which resulted in the following Board actions:

1) Approved RFB #12-33, to establish an annual contract for an indefinite quantity of tee shirts, as requested by the Parks and Recreations Director and the Senior Services Director. The recommendation is to award a contract to Read Taylor Printing located in Atlanta, Georgia, whose firm is the lowest overall responsive bidder. The contract would be renewable for two (2) additional one (1) year periods. Vote unanimous.

2) Approved RFB #12-35, to establish an annual contract for hauling various materials to and from various locations throughout the County, as requested by the Transportation and Development Director. The recommendation is to award a contract to C&J Carriers, LLC, located in Lovejoy, Georgia, whose firm is the overall lowest responsive bidder. The contract would be renewable for two (2) additional one (1) year periods. Funding is available through the department's general funds. Vote unanimous.

3) Approved RFP #12-37, for Off-System Safety Action Plan – Raised Pavement Marker Installation for various locations throughout the County for the Transportation and Development Department. The recommendation is to award a contract to Mid State Striping Inc., located in Eatonton, Georgia, based upon the lowest responsive bidder that meets the specifications of Transportation and Development. Vote unanimous.

4) Approved RFB #12-38, for the purchase of a Backhoe Loader with changeable attachments for the Transportation and Development Department. The recommendation is to award a contract to JCB of Georgia, located in Kennesaw, Georgia, based upon the lowest responsive bidder that meets the specifications of Transportation and Development. Vote unanimous.

5) Approved RFB #12-42, for an annual contract for concrete sand materials, on an as-needed basis, as requested by the Transportation and Development Director. The recommendation is to award a contract to Foley Materials Company, located in Columbus, Georgia, whose firm is the overall

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lowest responsive bidder. The contract would be renewable for two (2) additional one (1) year periods. Vote unanimous.

8. Angela Jackson, Director of Finance, presented two (2) "Clean-Up Budget Amendments" for FYE 6-30-12 to recognize and/or amend in revenue, nine (9) Budget Amendments for FYE 6-30-13, and two (2) Requests for Refund which resulted in the following Board actions:

1) Approved Budget Amendment #2-74/Other General Government/FYE 6-30-12, in the amount of \$1,000,000.00, to provide operating funds for the Landfill. Vote unanimous.

2) Approved Budget Amendment #2-75/Tax Allocation District Capital Project Fund/FYE 6-30-12, in the amount of \$5,000.00, to provide for operating transfers for a refund. Vote unanimous.

3) Approved Budget Amendment #2-17/Fire Department/FYE 6-30-13, in the amount of \$29,442.00, to carry forward FY-2012 funds allocated to repair the training facility. Vote unanimous.

4) Approved Budget Amendment #2-18/Library/FYE 6-30-13, in the amount of \$16,457.00, to carry forward Universal Service Discount funds received in FY-2012 and recognize revenue from the same source in FY-2013. Vote unanimous.

5) Approved Budget Amendment #2-19/General Government/FYE 6-30-13, in the amount of \$19,500.00, to cover the cost of a consulting contract with the Collaborative Firm which was approved in Resolution 2012-93 (Authorizing Clayton County to enter into an agreement with the Collaborative Firm, LLC, providing for the terms and conditions under which information regarding the Transportation Investment Act of 2010 – which allows County residents to vote on a penny sales tax to support transportation improvements throughout the metro Atlanta region – will be provided to the general public.) Vote unanimous.

6) Approved Budget Amendment #2-20/Other General Government/FYE 6-30-13, in the amount of \$208,702.00, to replace vehicles for Central Services, Police, Code Enforcement, and Building and Maintenance for expired CNG tanks and for Prison, whose repair cost exceeds the value of the vehicle. Vote unanimous.

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7) Approved Budget Amendment #2-21/General Government/FYE 6-30-13, in the amount of \$12,000.00, to cover the cost of a data line to monitor generators located at the Landfill. Vote unanimous.

8) Approved Budget Amendment #4-24/Fund 307-SPLOST Projects/FYE 6-30-13, in the amount of \$10,000.00, for the expansion of Clayton County Prison's parking lot. Vote unanimous.

9) Approved Budget Amendment #4-28/Fund 289-Other County Grants/FYE 6-30-13, in the amount of \$50,000.00, to accept a donation for preliminary engineering and design of a pedestrian travel, an open air public meeting space, signage, emergency call boxes and improve visibility from the Shelnett Center to Jesters Creek Trail. Vote unanimous.

10) Approved Budget Amendment #4-29/Fund 307-SPLOST Projects/FYE 6-30-13, in the amount of \$107,100.00, to include a purchase to replace computers at the Headquarters and Morrow libraries. Vote unanimous.

11) Approved Budget Amendment #4-30/Fund 306-Roads and Recreation Projects and Fund 307-SPLOST Projects/FYE 6-30-13, in the amount of \$137,000.00, to provide equipment and services for security and access control at the Lovejoy Recreation Center and the Southwest Police Precinct. Vote unanimous.

12) Approved a Request for Refund – Cellular Antenna Approval, in the amount of \$450.00, for LaShay Holmes, c/o American Tower. Vote unanimous.

13) Approved a Request for Refund – Clean Up Bond, in the amount of \$500.00, for Orlando Zenon of Zenon and Zenon Contractors. Vote unanimous.

9. Renee Bright, Director of Human Resources, presented two (2) items which resulted in the following Board actions:

1) Approved a request to create three (3) positions in Building and Maintenance to facilitate the additional workload generated by multiple remodeling projects throughout the county. The request was for one (1) additional Trade Specialist at Pay Grade 15 and two (2) Senior Trade

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Specialists at Pay Grade 17. The total annual salary for the three (3) positions is \$93,499.00. Vote unanimous.

2) Approved a request from the District Attorney's Office for a part-time position for the Pre-Trial Intervention and Diversion program. The position would conduct paralegal, secretarial and clerical duties. This position would be funded at \$12.43 an hour for 32 hours a week. Vote unanimous.

10. Approved Resolution 2012-218 approving and authorizing execution, by the Chairman of the Clayton County Board of Commissioners, of an Intergovernmental Agreement between the County and certain municipalities of Clayton County concerning an energy excise tax enacted pursuant to O.C.G.A. Section 48-13-110 et. seq. The motion carried 4-1. Commissioner Edmondson opposed.

11. Approved Resolution 2012-220 authorizing the sale or other disposition of certain equipment from Clayton County Fire & Emergency Services; to authorize the Director of Central Services to effect the disposal of said equipment as County-owned personal property; to authorize the disbursement of proceeds from the disposal of such property; to provide an effective date of this resolution; and for other purposes (two 1996 E-One, 75' Ladder Cyclone Stratosphere Fire Engines and one 1995 E-One, 75' Ladder Cyclone Stratosphere Fire Engine). Vote unanimous.

12. Approved Resolution 2012-221 authorizing Clayton County to accept grant funds awarded by the Georgia Emergency Management Agency (GEMA) on behalf of the Clayton County Fire & Emergency Management Services, in the amount of \$42,500.00, for the purpose of providing a severe weather notification and early warning system for Lovejoy Regional Park. Vote unanimous.

13. Approved Resolution 2012-222 authorizing the County to enter into an agreement for professional services with Forensic Photography, Inc., providing for the terms and conditions under which photographic and related services will be provided. Vote unanimous.

14. Approved Resolution 2012-223 authorizing Clayton County to enter into a grant award agreement with Criminal Justice Coordinating Council and, in accordance therewith, accept grant funds (\$29,106.00 with a local match of \$7,277.00) to be used in connection with the Victims of Crime Act (VOCA) and Clayton County Juvenile Court's Court Appointed Special Advocates (CASA) Program. Vote unanimous.

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15. Approved Resolution 2012-224 authorizing Clayton County to enter into an indemnification agreement with the City of Morrow providing for the terms and conditions under which the City of Morrow will permit the county to relocate a fire tower to the W. H. Reynolds Nature Preserve. Vote unanimous.
16. Approved Resolution 2012-225 authorizing Clayton County to enter into a license agreement with Rainbow House, Inc. providing for the terms and conditions under which the "10th Annual Festival of Trees and Lights" event will be conducted at the Clayton County International Park; to authorize the Chairman to execute the agreement, and otherwise perform all other acts necessary to accomplish the intent of this resolution; to provide an effective date of this resolution; and for other purposes. Vote unanimous.
17. Approved Resolution 2012-226 authorizing Clayton County to enter into a settlement agreement settling all claims set forth in the employment matter involving Lonon Norwood; to authorize the Chairman to execute the agreement and otherwise perform all acts necessary to accomplish the intent of this resolution; to authorize the Finance Director to amend the budget where necessary to reflect an appropriate revenue source and expense, all as may be required under the terms of the settlement agreement; to provide an effective date of this resolution; and for other purposes. Vote unanimous.
18. Approved Resolution 2012-227 authorizing Clayton County to accept three (3) seized vehicles from Clayton County Police Department Investigations; one (1) 1993 Buick RoadMaster; one (1) 1999 Mitsubishi Galant ES/GTZ, and one (1) 2004 Ford F-150 Truck; to authorize the sale of such property in a manner as will be in the best interest of the County; to provide for the disbursal of sale proceeds; to provide an effective date of this resolution; and for other purposes. Vote unanimous.
19. Approved Ordinance 2012-229 to amend Part II, Chapter 2, Article IV of the Clayton County Code of Laws to establish a small local business and procurement nondiscrimination program. The motion carried 4-1. Commissioner Edmondson opposed.
20. Approved Resolution 2012-230 authorizing Clayton County to enter into a settlement agreement settling all claims set forth in the lawsuit of CN Crag Charles, Inc. v. Clayton County, Georgia. Vote unanimous.

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21. Approved an Order for Remission for \$1,031.00 for State of Georgia vs. Anthony Lee Clay, Free At Last Bail Bonds (Surety), Case No. 2010CR051896-B. Vote unanimous.

Interim County Attorney Jack Hancock requested that the Board conduct an Executive Session on litigation and personnel matters. The Board generally consented to do so.

22. [This item was held over to the next Regular Board Meeting.] Appointments to the Clayton County Family and Children Services Board. Replacements are needed for Mr. Thomas C. Mertl (Resigned) and Ms. Cynthia Freeman (Resigned). New terms are for five (5) years; expiring 6-30-16 and 6-30-18 respectively.

23. [This item was held over to the next Regular Board Meeting.] Appointments to the Hospital Authority Board. Mr. Roy Moore's term expired 10-31-11. New term is for three (3) years; expiring on 10-31-14. The terms of Ms. LaCynthia Baskin, Ms. Sophia Haynes, and Dr. Cephus Jackson expired on 10-31-12. New terms are for three (3) years; expiring on 10-31-15.

24. [This item was held over to the next Regular Board Meeting.] Appointment to the Zoning Advisory Board to fill the vacancy created by the resignation of Mr. Joel Calleiro, whose term expired on 9-2-11. New term is for three (3) years; expiring on 9-2-14.

PUBLIC COMMENT:

Speakers Carl Swensson and Brenda Lowry waived their right to speak.

Motion by Vice-Chairman Ralph, second by Commissioner Singleton, to go into Executive Session in the Commissioners' Conference Room to discuss litigation and personnel matters at 7:35 p.m. Vote unanimous.

Motion by Vice-Chairman Ralph, second by Commissioner Singleton, to go out of Executive Session in the Commissioners' Conference Room at 8:04 p.m. Vote unanimous.

Motion by Vice-Chairman Ralph, second by Commissioner Singleton, to reconvene the Regular Business Meeting in the Commissioners' Board Room at 8:05 p.m. Vote unanimous.

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Renee Bright, Director of Human Resources, presented one item for approval which resulted in the following action:

1) Approved a request to move Clayton County employee Sharon Kellam from her position of Constituent Aide (Pay Grade 20/Step 1) to her new position of Administrative Secretary (Pay Grade 15/Step 21) in the Parks & Recreation Department/Carl Rhodenizer Recreation Center, with no reduction in pay. Vote unanimous.

There being no further business to discuss, motion by Vice-Chairman Ralph, second by Commissioner Singleton, to adjourn the Regular Business Meeting of November 6, 2012 at 8:07 p.m. Vote unanimous.